

1 THE HONORABLE BENJAMIN H. SETTLE
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13 UNITED STATES DISTRICT COURT
14 WESTERN DISTRICT OF WASHINGTON
15 AT TACOMA

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17 JOSE SANCHEZ, ISMAEL RAMOS
18 CONTRERAS, and ERNEST GRIMES, on
19 behalf of themselves and all others
20 similarly situated,

21 Plaintiffs,

22 v.

23
24 UNITED STATES OFFICE OF BORDER
25 PATROL, UNITED STATES CUSTOMS
26 & BORDER PROTECTION,
27 DEPARTMENT OF HOMELAND
28 SECURITY; JOHN C. BATES, Chief
29 Patrol Agent, Blaine Sector of the United
30 States Border Patrol, in his official
31 capacity; JANET NAPOLITANO,
32 Secretary, Department of Homeland
33 Security, in her official capacity; DAVID
34 AGUILAR, Acting Commissioner, United
35 States Customs & Border Protection, in his
36 official capacity; MICHAEL J. FISHER,
37 Chief of the United States Border Patrol, in
38 his official capacity; and JAY CUMBOW,
39 Agent in Charge for the Port Angeles
40 Office of the Olympic Peninsula of the
41 United States Border Patrol, in his official
42 capacity,

43 Defendants.

44 No. 12-cv-05378-BHS

45 STIPULATION AND
46 ORDER REGARDING DEADLINE TO
47 FILE MOTION FOR CLASS
48 CERTIFICATION

49 NOTED ON MOTIONS CALENDAR:
50 January 4, 2013

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52 STIPULATION AND [PROPOSED] AMENDED
53 SCHEDULING ORDER
54 (NO. 12-CV-05378-BHS) – 1

55 82900-0001/LFGA1.25504852 1

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

STIPULATION

The deadline for Plaintiffs to file a motion for class certification currently is January 18, 2013. *See* Dkt. #37. The parties are actively engaged in discovery relating to class certification issues (and other matters), but the parties now recognize that an insufficient amount of that discovery can be completed in time for orderly presentation of a motion for class certification within the current deadline despite the parties' reasonably diligent efforts, in part due to the need to resolve confidentiality issues and Defendants production of documents requested by Plaintiffs. The parties, therefore, agree and stipulate that the deadline for Plaintiffs' filing of a motion for class certification be extended six weeks, making said deadline March 1, 2013.

Under Fed. R. Civ. P. 6(b), the Court may extend a deadline for “good cause.” The same applies to the deadline for filing a motion for class certification in Local Rule 23(i)(3). Here, the parties stipulate and respectfully request that there is good cause under Fed. R. Civ. P. 6(b) and Local Rule 23(i)(3) for the Court to issue the attached proposed Amended Scheduling Order.

DATED: January 4, 2013

/s/Nicholas P. Gellert

Nicholas P. Gellert, WSBA No. 18041

NGellert@perkinscoie.com

Brendan J. Peters, WSBA No. 34490

BPeters@perkinscoie.com

Javier F. Garcia, WSBA No. 38259

JGarcia@perkinscoie.com

Steven D. Merriman, WSBA 4

SMerriman@perk

Perkins Coie LLP
1201 Third Avenue, Suite 1200

1201 Third Avenue, Suite
Seattle, WA 98101-3000

Seattle, WA 98101-3099
Telephone: 206 359 8000

Telephone: 206.359.8000
Facsimile: 206.359.9000

Fax: 200.559.5000
Cooperating Attorneys for

NORTHWEST INSTITUTE FOR
WILDLIFE RESEARCH

STIPULATION AND [PROPOSED] ORDER
(NO. 12-CV-05378-BHS) - 2

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4 DATED: January 4, 2013
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Sarah Dunne, WSBA No. 34869
La Rond Baker, WSBA No. 43610
ACLU of Washington Foundation
901 5th Ave, Suite 630
Seattle, WA 98164
Telephone: 206.624.2184

10
11 Matt Adams, WSBA No. 28287
12 **Northwest Immigrant Rights Project**
13 615 Second Ave., Ste. 400
14 Seattle, WA 98104
15 Telephone: 206.957.8611
16 Facsimile: 206.587.4009
17 Attorneys for Plaintiffs
18
19

20 /s/Timothy Belsan
21 Timothy Belsan
22 United States Department of Justice
23 Office of Immigration Litigation
24 District Court Section
25 Ben Franklin Station, P.O. Box 868
26 Washington, DC 20044
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Rebecca S. Cohen
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
Attorneys for Defendants

STIPULATION AND [PROPOSED] ORDER
(NO. 12-CV-05378-BHS) - 3

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Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

ORDER

The Court, having considered the proposed amended scheduling order submitted in this action, and good cause appearing therefore,

IT IS HEREBY ORDERED, that the deadline for filing class certification motion is extended from January 18, 2013 to March 1, 2013. All other dates on the case schedule remain unchanged.

DATED this 7 day of January, 2013.

Honorable Benjamin H. Settle

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STIPULATION AND [PROPOSED] ORDER
(NO. 12-CV-05378-BHS) - 4

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000